

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C) .No. 9350 of 2004(K)

PETITIONER:

P.P.SREEDHARAN PILLAI S/O. PARAMESWARAN
PILLAI, AGED 60, AMBADI SREE, ADIMALI P.O.,
IDUKKI DISTRICT (EXECUTIVE ENGINEER-RTD., LOWER
PERIYAR CIRCLE, IDUKKI COLONY, VAZHATHOPE)

BY ADV. SRI.C.HARIKRISHNAN
SRI.P.RADHAKRISHNAN NAIR

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, VAIDYUTHI BHAVAN,
PATTOM PALACE ROAD P.O., THIRUVANANTHAPURAM.
2. THE DEPUTY CHIEF ENGINEER,
GENERATION CIRCLE, KERALA STATE ELECTRICITY
BOARD, MOOLAMATTOM.
3. THE CHIEF INTERNAL AUDITOR,
KERALA STATE ELECTRICITY BOARD, VAIDYUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.P.SANTHALINGAM, SC, KSEB
SRI.C.K.KARUNAKARAN, SC FOR KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:TRUE COPY OF THE ORDER NO.461/2001/PSI/3141/200 DATED 23.2.01.

EXT.P2:TRUE COPY OF THE REPRESENTATION DT.10.11.02 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P3:TRUE COPY OF THE REPRESENTATION DATED 12.01.04 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P4: TRUE COPY OF THE COMMUNICATION NO.PA.XI.PPO.21735 DT.17.02.04 OF THE 3RD RESPONDENT TO THE 1ST RESPONDENT.

EXT.P5: TRUE COPY OF THE REPRESENTATION DT.9.3.04 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P6:TRUE COPY OF THE RELEVANT PAGE OF SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER SHOWING THE DATE OF BIRTH OF THE PETITIONER ISSUED BY THE BOARD OF SECONDARY EXAMINATION, GOVERNMENT OF KERALA.

RESPONDENTS' EXHIBITS

EXT.R1(a):A TRUE COPY OF THE CIRCULAR NO.4/PAY REVISION-1998 DATED 21/03/2001 ISSUED BY KSEB.

EXT.R1(b):A TRUE COPY OF THE BOARD ORDER DATED 10.12.02 BO (FB) NO.1664/2002 (Estt.VII/7629/2002) ISSUED BY THE KSEB.

/TRUE COPY/

P.A TO JUDGE

KURIAN JOSEPH, J.

W.P. (C). NO. 9350 OF 2004

Dated this the 17th day of August, 2007.

J U D G M E N T

This writ petition is filed with the following prayer:

i) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondent to grant the entire benefits due to the petitioner in view of the revision of pension as per Exhibit P1.

2. Placing reliance on the decision of this Court reported in **Union of India & others vs. K.J. George & others (2003(2) KLJ Page 978)** it is submitted that the petitioner became a pensioner only on 01.07.1998 and hence he is eligible for the benefits as per Exhibit P1.

There will be a direction to the first respondent to take appropriate action on Exhibit P5 with notice to the petitioner taking note of the judgment referred to above in case the judgment has otherwise become final, if not already taken, within a period of three months from the date of production of a copy of this judgment by the petitioner.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.